

RESOLUTION NO. 2006-81

A RESOLUTION OF THE LODI CITY COUNCIL
RESCINDING CERTAIN PLANNING COMMISSION
AND CITY COUNCIL RESOLUTIONS RELATING TO
THE LODI SHOPPING CENTER APPROVALS

WHEREAS, the proposed Lodi Shopping Center is located at the southwest corner of Kettleman Lane and Lower Sacramento Road and is anchored by a Super Wal-Mart and will contain other retail tenants; and

WHEREAS, the Planning Commission and City Council evaluated and certified an Environmental Impact Report (EIR) and approved a Use Permit and Tentative Map for the Lodi Shopping Center; and

WHEREAS, the City of Lodi's certification of the EIR was challenged in Superior Court and on December 19, 2005, the Court found the EIR to be deficient; and

WHEREAS, on February 10, 2006, the Court ordered the City of Lodi to rescind approval of the following Planning Commission and City Council resolutions approving the project:

- a. Planning Commission Resolution 04-64 certifying the EIR 03-01 adopted on December 8, 2004;
- b. Planning Commission Resolution 04-65 approving Use Permit U-02-12 and Tentative Parcel Map 03-P-001 adopted on December 8, 2004;
- c. City Council Resolution 2005-26 certifying the EIR 03-01 adopted on February 3, 2005; and
- d. City Council Resolution 2005-38 approving Use Permit U-02-12 and Tentative Parcel Map 03-P-001 adopted on February 16, 2005.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby rescinds the above-referenced Resolutions pursuant to the Superior Court Order of February 10, 2006, relating to the Lodi Shopping Center.

Dated: May 3, 2006

I hereby certify that Resolution No. 2006-81 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 3, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Mounce, and
Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – Beckman



SUSAN J. BLACKSTON
City Clerk